

Date January 14, 1971

To File

Subject

Our File 582-327, 582-339 From JWB

I called Bill Cridlin today to discuss the status of the German patent applications relating to the above-identified file and to inform him of the requirement for comparative examples in both applications.

With respect to 582-327, I asked him to bear in mind that comparative examples may be required which would establish that a final product which has been rewetted to a moisture content in the range of 12-20% is superior to a product produced by rewetting to a moisture content above 20%. I indicated that we intend to argue against the proposed restriction in Paragraph 4 of the letter of November 23, 1970 from Langner, Parry. However, the necessity for submitting such comparative examples may arise in the future.

With respect to 582-339, I indicated that in the last Office Action the Examiner required comparative data as set forth in the last paragraph of the translation of that Office Action, and I read this paragraph to him, over the phone, in its entirety.

Bill indicated that he did not believe that such comparative data was available and furthermore, did not think that there was sufficient interest in this case to justify any additional work aimed at gathering such information. His initial reaction is to "drop" this case. However, he said he would look into this matter and let us know if any such data could be provided.

I told him that even if such data were not presently available, in the future, we could go ahead and respond to the Last Action and indicate that such data is forthcoming.

Bill indicated that he would call us back within the next few days to inform us whether such information is available or could be obtained, or in the alternative, whether we should respond to the action merely on the basis of the present record.

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